REMARKS

Favorable reconsideration of this application is respectfully requested in view of the amendments above and the following remarks. Claims 1-7, 9-26 and 28-30 are pending.

Claims 1-6, 13, 19-20, 23-26 and 28-30 were rejected under 35 U.S.C. §102(e) as being anticipated by Pokharna et al. (6,795,311).

Claims 7 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pokharna et al. (6,795,311).

These rejections are respectfully traversed for the reasons stated below.

Claims 8-12, 14-18, 21-22 and 27 were objected to as including allowable subject matter if rewritten to include all the limitations of the base claim and any intervening claims.

Drawing and Information Disclosure Statement

The Examiner is requested to accept the replacement drawing for figure 2 enclosed herein and the formal drawings for figure 1 and 3-5 filed on December 8, 2003. In figure 2, the label for the fan has been changed from 160 to 161

The undersigned thanks the Examiner for considering the references cited in the IDS filed on December 8, 2003.

Objections to the Specification

The specification was objected to for minor informalities. The undersigned thanks the Examiner for pointing out that the label 160 was used to identify the fan and the thermally

conductive material. A replacement drawing sheet is enclosed changing the label of the fan to 161. Also, the specification is amended herein to refer to the fan as 161 instead of 160. Therefore, withdrawal of the objection is requested.

Claim Rejections under 35 U.S.C. §102(e)

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

> Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1-6, 13, 19-20, 23-26 and 28-30 were rejected under 35 U.S.C. §102(e) as being anticipated by Pokharna et al. (6,795,311).

Claims 1, 15, 17, 23 and 29 are independent.

Claim 1 has been amended to include the features of claim 8, which was objected to as including allowable subject matter. Accordingly, claims 1-7, 9-14 and 19-22 are allowable.

Claim 15 was objected to as including allowable subject matter. Claim 15 has been amended to include the features of claims 1 and 2 and accordingly claims 15-16 are allowable.

Claim 17 was objected to as including allowable subject matter. Claim 17 has been amended to include the features of claims 1, 2 and 5 and accordingly claims 17-18 are allowable.

Claim 23 has been amended to include the features of claim 27, which was objected to as including allowable subject matter. Accordingly, claims 23-26 and 28 are allowable.

Claim 29 has been amended to include features similar to objected to claim 15. Accordingly, claims 29-30 are believed to be allowable.

Claim Rejections Under 35 U.S.C. §103(a)

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in MPEP § 706.02(j):

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Therefore, if the above-identified criteria are not met, then the cited reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is distinguishable over the cited reference(s).

Claims 7 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pokharna et al. (6,795,311). Claims 7 and 26 are believed to be allowable for the reasons stated above.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

Dated: February 21, 2006 By

Ashok K. Mannava
Registration No.: 45,301

MANNAVA & KANG, P.C.
8221 Old Courthouse Road
Suite 104
Vienna, VA 22182
(703) 652-3822
(703) 880-5270 (facsimile)